

The Director of Central Intelligence
Washington, D.C. 20505

National Intelligence Council

NIC-01794-85
4 April 1985

MEMORANDUM FOR: Special Assistant to the DCI

FROM: Charles E. Allen
National Intelligence Officer for Counterterrorism and
Narcotics

SUBJECT: National Drug Enforcement Policy Board Meeting,
24 April 1985

REFERENCE: ER 85-1371, Letter to DCI from Attorney General, dated
27 March 1985, Same Subject

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1. The National Narcotics Act, a subset of the Comprehensive Crime Control Act of 1984, created the National Drug Enforcement Policy Board to develop government-wide drug enforcement programs and to coordinate the efforts of the various federal agencies involved in drug law enforcement. The DCI is by statute a member of this cabinet-level Board. The Office of General Counsel worked closely with the Department of Justice on the language of the bill to ensure DCI and Intelligence Community equities were protected. Members of the Board, in addition to the Attorney General and the DCI, are the Secretaries of State, Treasury, Defense, Transportation, and Health and Human Services, and the Director of the Office of Management and Budget.

2. Rather than creating a "drug czar" as proposed by some in the Executive and Legislative Branches, the legislation essentially codified existing drug enforcement coordination mechanisms that were previously created by the establishment of the Cabinet Council on Legal Policy and the Working Group on Drug Supply Reduction. The National Drug Enforcement Policy Board inter alia is to develop federal drug strategies, evaluate existing programs, coordinate the activities of the departments and agencies responsible for drug enforcement, and gather information about illegal drug use. The mandate of the Board is broad and allows a range of possible roles--from essentially passive research and analysis to active implementation of drug policies.

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3. Given the Attorney General's strong views on narcotics trafficking, I expect that he will use the Board as a key decision-making body. A number of working groups will probably also be established to carry out many of the Board's functions. These groups would, of course, involve lower-level representatives from each agency. I expect the Board will give considerable attention to foreign drug trafficking and policy issues involving either drug source countries or countries that facilitate the transshipment of narcotics into the United States.

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4. In view that the DCI is a statutory member of the Board, I recommend that he attend the meeting on 24 April. I have attached a copy of Chapter XIII of the Comprehensive Criminal Control Act of 1984 which sets forth the responsibilities of the Board.


Charles E. Allen

Attachment:
As Stated

SUBJECT: National Drug Enforcement Policy Board Meeting, 24 April 1985

DCI/NIC/NIO/CT-NARC/C.Allen:map [redacted] (4 April 1985)

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H. J. Res. 648-332

CHAPTER XIX NATIONAL NARCOTICS ACT

Sec. 1301. This chapter may be cited as the "National Narcotics Act of 1984".

Sec. 1302. (a) The Congress hereby makes the following findings:

(1) The flow of illegal narcotics into the United States is a major and growing problem.

(2) The problem of illegal drug activity falls across the entire spectrum of Federal activities both nationally and internationally.

(3) Illegal drug trafficking is estimated by the General Accounting Office to be an \$80,000,000,000 per annum industry in the United States.

(4) The annual consumption of drugs has reached epidemic proportions.

(5) Despite the efforts of the United States Government and other nations, the mechanisms for smuggling opium and other hard drugs into the United States remain virtually intact and United States agencies estimate that they are able to interdict no more than 5 to 15 percent of all hard drugs flowing into the country.

(6) Such significant indicators of the drug problem as drug-related deaths, emergency room visits, hospital admissions due to drug-related incidents, and addiction rates are soaring.

(7) Increased drug trafficking is strongly linked to violent, addiction-related crime and recent studies have shown that over 90 percent of heroin users rely upon criminal activity as a means of income.

(8) Much of the drug trafficking is handled by syndicates, a situation which results in increased violence and criminal activity because of the competitive struggle for control of the domestic drug market.

(9) Controlling the supply of illicit drugs is a key to reducing the crime epidemic confronting every region of the country.

(10) The magnitude and scope of the problem requires the establishment of a National Drug Enforcement Policy Board, chaired by the Attorney General, to facilitate coordination of all Federal efforts by relevant agencies.

(11) Such a Board must have responsibility for coordinating the operations of Federal agencies involved in attacking this problem through the development of policy and resources, so that a unified and efficient effort can be undertaken.

(b) It is the purpose of this Act to insure—

(1) the maintenance of a national and international effort against illegal drugs;

(2) that the activities of the Federal agencies involved are fully coordinated; and

(3) that a single, competent, and responsible high-level Board of the United States Government, chaired by the Attorney General, will be charged with this responsibility of coordinating United States policy with respect to national and international drug law enforcement.

Sec. 1303. There is established in the executive branch of the Government a Board to be known as the "National Drug Enforcement Policy Board" (hereinafter in this Act referred to as the "Board"). There shall be at the head of the Board a chairman who shall be the Attorney General (hereinafter in this Act referred to as

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the "Chairman"). In addition to the Chairman, the Board shall be comprised of the Secretaries of State, Treasury, Defense, Transportation, Health and Human Services, the Director of the Office of Management and Budget, and the Director of Central Intelligence and such other officials as may be appointed by the President. Decisions made by the Board pursuant to section 4(a) of this Act shall be acknowledged by each member thereof in writing.

Sec. 1304. (a) The Board shall facilitate coordination of United States operations and policy on illegal drug law enforcement. In the furtherance of that responsibility, the Board shall have the responsibility, and is authorized to—

(1) review, evaluate and develop United States Government policy, strategy and resources with respect to illegal drug law enforcement efforts, including budgetary priorities and a National and International Drug Law Enforcement Strategy;

(2) facilitate coordination of all United States Government efforts to halt national and international trafficking in illegal drugs; and

(3) coordinate the collection and evaluation of information necessary to implement United States policy with respect to illegal drug law enforcement.

(b) For the purpose of coordinating the activities of the several departments and agencies with responsibility for drug law enforcement and implementing the determinations of the Board, it shall be the duty of the Chairman—

(1) to advise the Board in matters concerning drug law enforcement;

(2) to make recommendations to the Board for the coordination of drug enforcement activities;

(3) to correlate and evaluate intelligence and other information on drug law enforcement to support the activities of the Board;

(4) to act as primary adviser to the President and Congress on national and international illegal drug law enforcement programs and policies developed by the Board under subsection (a) of this section and the implementation thereof; and

(5) to perform such other duties as the President may direct.

(c) In carrying out responsibilities under this section, the Chairman, on behalf of the Board, is authorized to—

(1) direct, with the concurrence of the head of the agency employing such personnel, the assignment of Government personnel within the United States Government in order to implement United States policy with respect to illegal drug law enforcement;

(2) provide guidance in the implementation and maintenance of policy, strategy, and resources developed under subsection (a) of this section;

(3) review and approve the reprogramming of funds relating to budgetary priorities developed under subsection (a) of this section;

(4) procure temporary and intermittent services under section 3109(b) of title 5 of the United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay payable for the grade of GS-18 of the General Schedule;

(5) accept and use donations of property from all Government agencies; and

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(f) use the mails in the same manner as any other department or agency of the executive branch.

(d) Notwithstanding the authority granted in this section, the Board and the Chairman shall not interfere with routine law enforcement or intelligence decisions of any agency and shall undertake no activity inconsistent with the authorities and responsibilities of the Director of Central Intelligence under the provisions of the National Security Act of 1947, as amended, or Executive Order 12333.

(e) The Administrator of the General Services Administration shall provide to the Board on a reimbursable basis such administrative support services as the Chairman may request.

SEC. 1305. The Chairman shall submit to the Congress, within nine months after enactment of this Act, and biannually thereafter, a full and complete report reflecting United States policy with respect to illegal drug law enforcement, plans proposed for the implementation of such policy, and, commencing with the submission of the second report, a full and complete report reflecting accomplishments with respect to the United States policy and plans theretofore submitted to the Congress.

SEC. 1306. Title II of the Drug Abuse Prevention, Treatment and Rehabilitation Act (21 U.S.C. 1112) is amended by adding at the end of section 201 (21 U.S.C. 1111) a new subsection (d) as follows:

"(d) SUPPORT TO NATIONAL DRUG ENFORCEMENT POLICY BOARD.—One of the duties of the White House Office of Drug Abuse Policy shall be to insure coordination between the National Drug Enforcement Policy Board and the health issues associated with drug abuse."

SEC. 1307. This chapter and the amendments made by this chapter shall take effect January 20, 1985.

CHAPTER XIV—VICTIM COMPENSATION AND ASSISTANCE

SEC. 1401. This chapter may be cited as the "Victims of Crime Act of 1984".

CRIME VICTIMS FUND

SEC. 1402. (a) There is created in the Treasury a separate account to be known as the Crime Victims Fund (hereinafter in this chapter referred to as the "Fund").

(b) Except as limited by subsection (c), there shall be deposited in the Fund—

(1) all fines that are collected from persons convicted of offenses against the United States except—

(A) fines available for use by the Secretary of the Treasury pursuant to—

(i) section 11(d) of the Endangered Species Act (16 U.S.C. 1540(d)); and

(ii) section 6(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(d)); and

(B) fines to be paid into—

(i) the railroad unemployment insurance account pursuant to the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.);

(ii) the Postal Service Fund pursuant to sections 2601(a)(2) and 2003 of title 39 of the United States Code